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S E C R E T SECTION 01 OF 02 KUWAIT 000079

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SUBJECT: GOK APPEALS TO STOP DESIGNATION OF KUWAITI TERRORIST FINANCIERS

Classified By: Acting DCM Tim A. Lenderking for Reasons 1.4 (b) and (d)

¶1. (C) Director of the MFA Americas Desk Ambassador Ali Hussain Al-Sammak sought an urgent meeting with CDA on January 17 to request, on instruction from the Kuwait FM, that the U.S. use "its good offices" to end the initiative to designate three Kuwaiti terrorist financiers (Hamid Al-Ali, Jaber Al-Jalamah, and Mubarak Al-Bathali) at the UN 1267 Committee. Al-Sammak stressed that Kuwait was making the request in light of the strong friendship between Kuwait and the United States, and specifically in the afterglow of the very successful January 11-12 visit to Kuwait by President Bush. Al-Sammak added that "our information" is that "these are good Kuwaitis" whose funds perhaps got "misdirected" or "diverted" through no intention of their own. Al-Sammak noted that Kuwait had formally appealed to the Libyan PermRep to remove the three Kuwaitis from designation, in a letter submitted to Libya on January 7. Al-Sammak said he had known Al-Ali and Al-Jalamah "twenty years ago," and at least at that time "they were decent people."

¶2. (C) CDA noted that the move to designate the three Kuwaitis was not a new issue, and the U.S. had presented its case on numerous occasions to the GOK since the December 2006 designation of the three individuals by the U.S. Department of Treasury. All that had changed in the last few weeks was the membership of the Security Council. CDA explained that the U.S. believed there was a strong case against these three individuals, who were not, in the USG view, "good people." CDA asked Al-Sammak to "keep an open mind" on the charges against the individuals, since the USG believed there was genuine, reliable information linking these men to fund-raising activities associated with Al Qaeda. CDA also noted the possibility of an upcoming visit to Kuwait by Treasury U/S Levey, at which time the U.S. and Kuwait could discuss the issue further. CDA said he would relay the GOK's views to Washington.

¶3. (C) Al-Sammak said he was dismayed at CDA's report noting financial ties between the three Kuwaitis and Al Qaeda. He said the FM would be "upset" to hear this. He did not wish to dispute USG information on the three and agreed that "bad people should be behind bars." He said the GOK looked forward to receiving U/S Levey if he were able to visit, but he appealed once again for U.S. understanding. In discussing the issue within the Security Council, Kuwait understood that the designation "depended on the Americans."

Comment

¶4. (C) As is well known, Kuwait has consistently opposed the

designation of Al-Ali, Al-Jalamah, and Al-Bathali by the UN Sanctions Committee. Throughout 2007 Kuwait lobbied then-Security Council member Qatar to maintain a hold on the designation. MFA contacts have generally dismissed the USG case against the three financiers as lacking evidence, suggesting that the U.S. is making "martyrs" out of three individuals who have no following and no influence in Kuwait.

¶ 15. (S/NF) We believe there are other motives at play in Kuwait's resistance to designation. First, Kuwait dislikes public shaming of its citizens. While Kuwait has no control over a U.S. domestic designation, it will, as we have seen, use its diplomatic muscle to prevent a broader international designation, in part because such a designation is embarrassing. Similarly, as with the Guantanamo detainees, the senior leadership in Kuwait is no doubt mindful of, and concerned about, the domestic public backlash that could arise from a designation. In their January 11 meeting in Kuwait, the Amir described the Guantanamo issue to President Bush as a "headache," a reference to the vigorous and public lobbying the families of the remaining detainees have engaged in, with some members of Kuwait's parliament adopting their cause. While we have no reason to believe that the families of these three individuals have any particular clout or reach within the senior leadership, we do anticipate that the Kuwaiti leadership, and perhaps the Amir himself, will have another public relations challenge to confront following their designation. Finally, Kuwait's resistance to designation reflects its approach to countering terrorism within Kuwait: co-opt rather than destroy. The Kuwaitis have long argued that the three men are under surveillance and cannot therefore perpetrate or support terrorist activity. Yet we are only too well aware of the limits of Kuwait's ability or willingness to monitor its own terrorist

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sympathizers, as we have seen in their handling of Guantanamo returnees.

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